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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

JOHN ERIC SMITH,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 16-CV-00690-CL

PLAINTIFF'S COST BILL

STATE OF OREGON)
) ss:
County of Jackson)

I, Kelly L. Andersen, certify that the following is a true statement of costs incurred and/or believed to be allowed in this case.

1.	Filing Fee	\$	400.00
2.	Service of Summons	\$	154.22
3.	Cost of Obtaining Medical Records		
	a) Asante	\$	209.75

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b)	IOD	\$	142.65
c)	Kroger Pharmacy	\$	60.00
d)	Medford Foot & Ankle	\$	148.00
e)	Mercy Flights	\$	20.00
f)	Oregon Advanced Imaging	\$	15.00
g)	Rehabilitation Medicine Physicians	\$	30.00
h)	Rogue Valley Urology	\$	35.00
i)	SONSA	\$	25.00
j)	Valley Immediate Care	\$	25.00
k)	Walgreen Pharmacy	\$	31.48

The bills are attached as Exhibit A.

4. Deposition transcripts (bills attached as Exhibit B)

a)	LNS Court Reporting Trans. John Eric Smith	\$	315.00
	Depo/Trans. Of Manson, Webster, Schorran And Tiffany Smith	\$	1,264.20
b)	Kostner & Associates Trans. Of Rubenson	\$	511.50
c)	Debra Dugan Depo of Pray, M.D.	\$	306.39
d)	Catherine Vernon & Assoc. Videotaped Depo of Choppa	\$	1,068.00

5. Trial Subpoenas and Service Fees (bills attached as Exhibit C)

a)	Sure Serve Process Servers	\$	115.00
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b) Rogue Legal \$ 90.00

6. Witnesses Fees and Mileage¹ (Exhibit D)

Name	Attendance & Travel Time		Subsistence		Mileage & Travel Expenses		Total Cost for each Witness
	Days	Cost	Days	Cost			
Tiffany Smith	1	\$40				\$5	\$45
Gary Overton	1	\$40				\$5	\$45
Jeff Thompson	1	\$40				\$5	\$45
Scott McBride	1	\$40				\$5	\$45
Brandon Bowman	1	\$40				\$5	\$45
Laural Wann	1	\$40				\$5	\$45
Diana Ortiz	1	\$40				\$5	\$45
Mike Sahlberg	1	\$40				\$5	\$45
Rich Brasher	1	\$40				\$5	\$45
Maria McGaughlin ²	3	\$120	3	\$127.50		\$1,447.71	\$1,695.21
David Talan	2	\$80	2	\$76.50		\$1,352.59	\$1,509.09
Roseann Velez	2	\$80	2	\$76.50		\$823.61	\$980.11
Michele Cook	2	\$80	2	\$76.50		\$648.94	\$805.44
Daniel Rubenson	1	\$40	1				\$40
Robert Arnsdorf	1	\$40		\$38.35	336	\$183.12	\$261.37
Jeffery Zimmer	1	\$40				\$5	\$45

¹ Witness fee of \$40.00 per day of testimony and necessary travel time, plus mileage or actual travel expenses. 28 USC § 1821(b)-(c). Subsistence allowance is allowed for witnesses who live too far to be expected to travel to and from their residence daily while in attendance at trial. 28 USC § 1821(d). That rate is posted online, and for Medford is \$93/per day for hotel and \$51 per day for meals and incidentals, or \$38.25 for the first and last days of travel. See https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup/?action=perdiems_report&state=OR&fiscal_year=2018&zip=&city=Medford.

² I have included one day travel each direction before and after her testimony because of the lack of reasonable flights between Medford and Florida.

7. Trial Exhibits³

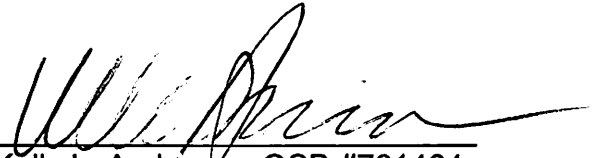
Number of Pages	Black & White ⁴	Color	Total Charges
102		\$0.55/page	\$56.10
2,502	\$.06/page		\$150.12

TOTAL

\$10,913.63

DATED this 19 day of November, 2018.

Andersen Morse & Linthorst, PC

By 
Kelly L. Andersen, OSB #791464
Attorney for Plaintiff

SUBSCRIBED AND SWORN TO BEFORE ME this 19th day of November 2018.


Notary Public for the State of Oregon
My Commission Expires: 10-23-22



³ This is the total page count and charges for all three copies of the trial binders: one each for Plaintiff, Defendant, and the Judge. The binders were each 868 pages, of which 34 were color copies.

⁴ These are the current charges at Staples.com as of November 19, 2018.

Re: *John Eric Smith v. United State of America*
US District Court Case No. 16-CV-00690-CL

CERTIFICATE OF SERVICE

I certify that on the 19 day of November, 2018 I served the foregoing PLAINTIFF'S COST BILL on the attorneys and parties listed below by depositing in the United States Mail a true copy thereof, enclosed in a sealed envelope with postage paid and addressed to the regular office and of that said attorney:

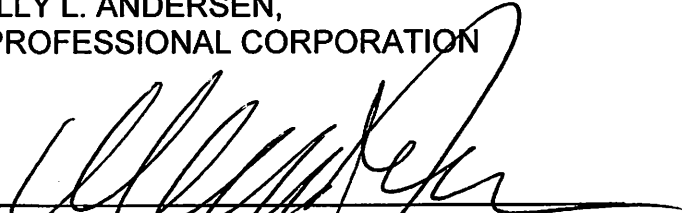
Susanne Luse
Assistant U.S. Attorney
1000 SW Third Ave., Ste. 600
Portland, OR 97204-2902

AND VIA E-MAIL: susanne.luse@usdoj.gov

Of Attorneys for defendant

KELLY L. ANDERSEN,
A PROFESSIONAL CORPORATION

By



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